

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

KERRY MIDDLETON, JOSHUA CLEAR)	
and TARA KNIGHT, <i>on behalf of themselves</i>)	
<i>and all similarly situated employees,</i>)	Case No. 1:13-cv-128
<i>Plaintiffs,</i>)	<i>Mattice/Carter</i>
v.)	
THE BARGAIN BARN, INC.)	
<i>Defendant.</i>)	

REPORT AND RECOMMENDATION

By order entered on February 21, 2014, Tara Knight's counsel was allowed to withdraw from representing her. The undersigned further ordered that Ms. Knight had up to and including Tuesday, April 1, 2014 in which to retain new counsel and have counsel enter an appearance on her behalf or inform the Court in writing that she intended to represent herself. Ms. Knight was also informed that failure to comply with the undersigned's order could result in the dismissal of her claim pursuant to Fed. R. Civ. P. 41 for failure to prosecute her claim.

Ms. Knight has not informed the Court whether she intends to proceed *pro se* or engage a new attorney to represent her. Accordingly, it is RECOMMENDED¹ that Ms. Knight's claim be DISMISSED in its entirety under Fed. R. Civ. P. 41 for failure to prosecute.

SO ORDERED.

ENTER.

S / William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE

¹Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 72(b) of the Federal Rules of Civil Procedure. Failure to file of objections within the time specified waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 149, 88 L.Ed.2d 435, 106 S.Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive and general. *Mira v. Marshall*, 806 F.2d 636 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6th Cir. 1987).